

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CHRISTINE DEMPSEY,

Plaintiff,

v.

STATE OF DELAWARE,
DEPARTMENT OF PUBLIC SAFETY
Defendant.

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C.A. NO. 06-456-SLR

JURY TRIAL DEMANDED

PROPOSED SCHEDULING ORDER

This 24th day of October, 2006, the parties having satisfied their obligations under Fed. R. Civ. P. 26(f), and the court having conducted a pretrial scheduling conference pursuant to Fed. R. Civ. P. 16 and D. Del. LR 16.2(a) and (b).

IT IS ORDERED that:

1. **Pre-Discovery Disclosures.** The parties have/will exchange by **October 20, 2006**, the information required by Fed. R. Civ. P. 26(a)(1) and D. Del. LR 16.2.

2. **Discovery.**

(a) Discovery will be needed on the following subjects: Discovery is needed concerning the events of October 25-26, 2003 and their aftermath, including investigations into the conduct of troopers, and internal affairs and disciplinary proceedings re: same; plaintiff's claims of discrimination and use of administrative remedies; existence and scope of damages.

(b) All discovery shall be commenced in time to be completed by **October 1, 2007**.

(c) Maximum of **50** interrogatories by each party to any other party.

(d) Maximum of **50** requests for admission by each party to any other party.

(e) Maximum of **15** depositions by plaintiff and **15** by defendant.

(f) Each deposition limited to a maximum of **7 hours** unless extended by agreement of parties.

(g) Reports from retained experts under Rule 26(a)(2) on issues for which any party has the burden of proof due by **May 31, 2007**. Rebuttal expert reports due by **July 31, 2007**.

(h) **Discovery Disputes.** Any discovery dispute shall be submitted to the court pursuant to Fed. R. Civ. P. 37. During the course of discovery, each party is limited to **two (2)** Rule 37 motions. The court shall make itself available, however, to resolve through a telephone conference, disputes that arise during the course of a deposition and disputes related to entry of a protective order.

3. **Joinder of other Parties, Amendment of Pleadings, and Class Certification.** All motion to join other parties, amend the pleadings, and certify a class action shall be filed on or before **November 20, 2007**. ^{set}

4. **Settlement Conference.** Pursuant to 28 U.S.C. § 636, this matter is referred to Magistrate Judge Thyng for the purposes of exploring the possibility of a settlement.

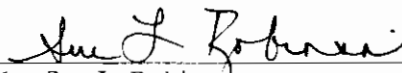
5. **Summary Judgment Motions.** All summary judgment motions shall be served and filed with an opening brief on or before **January 8, 2008**. Briefing shall be pursuant to D. Del. LR 7.1.2. No summary judgment motion may be filed more than **ten (10)** days from the above date without leave of the court.

6. **Applications by Motion.** Any application to the court shall be by written motion filed with the clerk. Unless otherwise requested by the court, counsel shall not deliver copies of papers or correspondence to changers. **Any non-dispositive motion shall contain the statement required by D. Del. LR 7.1.1.**

7. **Motions in Limine.** All motions in limine shall be filed on or before ~~two~~ March 26, 2008 ~~weeks before pretrial conference~~. All responses to said motions shall be filed on or before April 2, 2008 ~~one week before pretrial conference~~.

8. **Pretrial Conference.** A pretrial conference will be held on April 9, 2008 at 4:30 p.m. in Courtroom No. 6B, Sixth Floor Federal Building, 844 King Street, Wilmington, Delaware. The Federal Rules of Civil Procedure and D. Del. LR 16.4 shall govern the pretrial conference.

9. **Trial.** This matter is scheduled for a **six-day** jury trial commencing on April 21, 2008 in Courtroom 6B, Sixth Floor Federal Building, 844 King Street, Wilmington, Delaware. For purposes of completing pretrial preparations, the parties should plan on being allocated a total number of hours in which to present their respective cases.



Judge Sue L. Robinson